

# NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and the agency decides to make substantial changes to the rule after it is proposed, the agency must prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office, and the Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.). Publication of the Notice of Supplemental Proposed Rulemaking shall appear in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

## NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

### TITLE 4. PROFESSIONS AND OCCUPATIONS

#### CHAPTER 7. BOARD CHIROPRACTIC EXAMINERS

[R07-273]

#### PREAMBLE

**1. Register citation and date for the original Notice of Proposed Rulemaking:**

Notice of Proposed Rulemaking: 13 A.A.R. 1076, March 30, 2007

<b>2. <u>Sections Affected</u></b>	<b><u>Rulemaking Action</u></b>
Article 11	Amend
R4-7-1102	Amend
R4-7-1103	Amend

**3. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 32-904(B)(2)

Implementing statute: A.R.S. § 32-926(A)(2)

**4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Patrice A. Pritzl, Executive Director  
Address: 5060 N. 19th Ave., Suite 416  
Phoenix, AZ 85015-3210  
Telephone: (602) 864-5088  
Fax: (602) 864-5099  
E-mail: merriejoh@earthlink.net

**5. An explanation of the rule, including the Agency's reasons for initiating the rule:**

The rule amendment will require registration of chiropractic assistants with the Board within seven days of hire, require training to begin within one month after hire, change the number of hours of required training for chiropractic assistants who work under the supervision of a doctor of chiropractic who is certified to perform acupuncture, define the scope of practice of a chiropractic assistant, specify those duties that a chiropractic assistant shall not perform, and restrict a person who has a revoked, suspended or denied license from being a chiropractic assistant.

**6. An explanation of the substantial change which resulted in this supplemental notice:**

The proposed time-frame in which a chiropractic assistant is required to begin training was changed from one month to the original three months that is currently reflected in rule.

**7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**8. The preliminary summary of the economic, small business, and consumer impact:**

Current rule already requires that chiropractic assistants be registered with the board and require that the assistant be trained. Therefore, the amendments will have little economic impact beyond that under current rule. The reduction of hours for training in acupuncture will benefit those chiropractors who are certified to perform acupuncture by reducing training costs by approximately \$150. The definition of scope of practice of a chiropractic assistant is based on generally accepted professional standards and are for clarification purposes. In this regard, there is no economic impact anticipated in relation to definition of scope of practice. The amendment restricting a person who has had a

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license revoked, suspended or denied from being a chiropractic assistant has no economic impact since it cannot be presumed that such a person would be employed as, or have a right to be employed as, a chiropractic assistant.

**9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Patrice A. Pritzl, Executive Director  
Address: 5060 N. 19th Ave., Suite 416  
Phoenix, AZ 85015-3210  
Telephone: (602) 864-5088  
Fax: (602) 864-5099  
E-mail: merriejoh@earthlink.net

**10. The time, place and nature of the proceedings for adoption, amendment, or repeal of the rule or, if no proceeding is scheduled when, where, or how persons may request an oral proceeding on the proposed rule:**

Written comment will be accepted at the Board office, 5060 N. 19th Ave., Suite 416, Phoenix, AZ 85015 on a business day between the hours of 8:00 a.m. and 5:00 p.m. until 5:00 p.m. on September 10, 2007. An oral proceeding is not scheduled but may be requested.

**11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

**12. Incorporation by reference and their location in the rules:**

Not applicable

**13. The full text of the rules as follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS**

**ARTICLE 11. CHIROPRACTIC ASSISTANTS**

Section

R4-7-1102. Chiropractic Assistant Training

R4-7-1103. Scope of Practice

**ARTICLE 11. CHIROPRACTIC ASSISTANTS**

**R4-7-1102. Chiropractic Assistant Training**

- A. A C.A. shall complete 24 clock hours of coursework, with a minimum of four hours in each of the following subjects: chiropractic principles, management of common diseases, history taking, recordkeeping, professional standards of conduct, and CPR. If a chiropractor supervising a C.A. is certified in a specialty physiotherapy under A.R.S. § 32-922.02, the C.A. shall complete 12 hours of additional training in that specialty physiotherapy. If a chiropractor supervising a C.A. is certified in acupuncture under A.R.S. § 32-922.02, the C.A. shall complete 2 hours of additional training in acupuncture.
- B. A C.A. shall take coursework from a Board-approved facility or chiropractor. The facility or chiropractor providing coursework shall submit documentation that describes each subject listed in subsection (A) to the Board for approval prior to offering the course.
- C. A doctor of chiropractic shall register a C.A. with the Board within 7 days of hire as a C.A. by submitting the name of the C.A., the name and license number of the supervising chiropractor, the address and phone number where the C.A. is employed and the initial date of hire. A C.A. shall begin Board-approved coursework within three + 3 months of initial employment with a supervising chiropractor, and shall complete the coursework within one year of initial employment with the supervising chiropractor.
- D. A C.A. shall register with the Board or its designee upon completing required coursework. A C.A. shall submit a separate registration form for each place of employment and supervisor. A C.A. shall submit documentation to the Board or its designee on a Board-approved form, signed by the supervising chiropractor, showing the date that the C.A. completed each required subject. The Board shall issue the C.A.'s registration upon approval of the registration form.
- E. A chiropractor supervising a C.A. shall maintain at the C.A.'s place of employment a copy of the C.A.'s registration.

**R4-7-1103. Scope of Practice**

- A. A C.A. shall may only perform only tasks clinical duties that are:

1. Consistent with a supervising chiropractor's licensure and certification; and

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2. Delegated by the supervising chiropractor.
  3. Clinical duties may include asepsis and infection control, taking patient histories and vital signs, performing first aid and CPR, preparing patients for procedures, assisting the supervising chiropractor with examinations and treatments, and collecting and processing specimens as directed by the supervising chiropractor. A chiropractic assistant that meets the education requirements for physiotherapy may administer, under the direct supervision of a certified doctor of chiropractic, whirlpool treatments, diathermy treatments, electronic gavitation stimulation treatments, ultrasound therapy, massage therapy, traction treatments, transcutanous nerve stimulation unit treatments, and hot and cold pack treatments. A chiropractic assistant that meets the education requirements for acupuncture may prepare and sterilize instruments and may remove acupuncture needles under the direct supervision of a certified doctor of chiropractic.
- B. A C.A. shall not: take Take an x-ray, perform an independent examination, diagnose a patient, determine a regimen of patient care, change the regimen of patient care set by the supervising chiropractor, administer diagnostic tests, perform an adjustment or perform acupuncture by needle insertion.
- C. A person who has had a license to practice chiropractic or any other health care profession suspended, revoked or denied in this or any other jurisdiction shall not perform the clinical duties of a chiropractic assistant.
- D. As per A.R.S. § 32-900 (3), a chiropractic assistant shall not be licensed to practice chiropractic in this or any other jurisdiction.
- C.E.** A supervising chiropractor shall be responsible for all acts or omissions of a supervised C.A.
- D.F.** A person who does not meet the coursework requirements of R4-7-1102 shall perform only clerical or administrative duties.